

## Message Text

UNCLASSIFIED

PAGE 01 STATE 046220  
ORIGIN SCS-06

INFO OCT-01 EA-12 ISO-00 VO-03 L-03 CA-01 /026 R

DRAFTED BY CA;SCS;RDRY:JS  
APPROVED BY CA;SCS;LPMULLIN  
VO - SFISCHEL  
L/CA - RHENDERSON

-----122527 222351Z /73

O 222307Z FEB 78  
FM SECSTATE WASHDC  
TO AMEMBASSY SEOUL IMMEDIATE

UNCLAS STATE 046220

E.O. 11652: N/A

TAGS: CGEN: (BLACK, ROBERT WENDELL)

SUBJECT: MARRIAGE OF USC TO KOREAN NATIONAL

REF: A. SEOUL 1317, B. STATE 39388, C. SEOUL 1136, D.

SEOUL 686

1. REFTEL D REFERRED TO PREMARITAL INTERVIEW OF USC AND KOREAN FIANCEE. ACTION TRANSFERRED TO VISA OFFICE SINCE IT APPEARED INTERVIEW WAS FOR VISA PURPOSES. VO RESPONDED ON 2/14 BY REFTEL B IN NAME OF ALIEN, HYON YONG PAK.

2. REFTEL A, HOWEVER, REFERS TO NOTARIAL FUNCTION OF EXECUTION OF AFFIDAVIT OF ELIGIBILITY TO MARRY. UNDER NORMAL CIRCUMSTANCES PROVISIONS OF 7 FAM 832.6-2 WHICH IN PART STATE: "CONSULAR OFFICERS NOT REQUIRED TO EXAMINE TRUTH OF AFFIANT'S ALLEGATIONS", WOULD APPLY. DEPT APPRECIATES SPECIAL SCUTINY PAID TO PERSONS REQUESTING AFFIDAVITS OF ELIGIBILITY IN KOREA BECAUSE OF POTENTIAL FOR UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 046220

FRAUDULENT USE. HOWEVER, IN CASES IN WHICH A U.S. DIVORCE DECREE IS PRESENTED WHICH APPEARS VALID ON ITS FACE, DEPT DOES NOT BELIEVE IT NECESSARY TO PURSUE QUESTION WHETHER IT IS IN FACT VALID. CONSEQUENTLY, DEPT HAS NO OBJECTION

IF CONSULAR OFFICER TAKES AFFIDAVIT IN THIS CASE OR IN OTHER SIMILAR CASES.

3. DEPT VERIFIED EXISTENCE OF DIVORCE DECREE WITH CLERK  
SUPERIOR COURT OF RICHMOND COUNTY. DOCKET NO. D-1493-77  
NOT 1423. WITH RESPECT TO QUESTION OF RESIDENCE,  
RESIDENCE DOES NOT NECESSARILY MEAN ACTUAL PHYSICAL  
PRESENCE. FOR INSTANCE, FOR SERVICEMAN RESIDENCE AND  
DOMICILE CAN BE CONSIDERED COEXTENSIVE. ATTORNEY GENERAL'S  
OFFICE BELIEVES THAT DOMICILE REQUIREMENTS WOULD PROBABLY  
BE FULFILLED IN FACTS OF THIS CASE. IN ADDITION,  
PROCEDURES PURSUED IN THIS DIVORCE ARE CONSIDERED "ALL  
RIGHT" AND IN ACCORDANCE WITH CASE LAW OF GEORGIA ACCORD-  
INGO ATTORNEY GENERAL'S INFORMAL TELEPHONE OPINION.

4. THIS CABLE SHOULD BE TREATED AS SUPPLEMENTARY ONLY TO  
REFL B. VANCE

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NNN

## Message Attributes

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**Capture Date:** 01 jan 1994  
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**Concepts:** n/a  
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**Decaption Date:** 01 jan 1960  
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**Reference:** 78 SEOUL 1317, 78 STATE 39388, 78 SEOUL 1136  
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**Subject:** MARRIAGE OF USC TO KOREAN NATIONAL  
**TAGS:** CGEN, (BLACK, ROBERT WENDELL)  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014